

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:10-CR-00066-RJC

USA

v.

LEON FRED COLLINS

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ORDER

**THIS MATTER** comes before the Court upon motions of the defendant's pro se for resentencing, (Doc. No. 38), and appointment of counsel to pursue relief under 28 U.S.C. § 2241, (Doc. No. 39).

The defendant asserts that common law robbery is not a crime of violence for purposes of the career offender enhancement, USSG §4B1.1. However, there is no constitutional right to counsel when a prisoner moves to challenge a final conviction. Crowe v. United States, 175 F.2d 799, 801 (4th Cir. 1949). Additionally, the defendant was previously appointed counsel to collaterally attack his sentence based on Johnson v. United States, 135 S. Ct. 2551 (2015), and that motion was voluntarily dismissed. (Doc. No. 34: Order; Doc. No. 37: Notice).

**IT IS, THEREFORE, ORDERED** that the defendant's motions are **DENIED**. The Clerk's Office is directed to send a form-motion to vacate to the defendant with service of this Order.

Signed: December 12, 2017



Robert J. Conrad, Jr.  
United States District Judge

